



JGJr: 12-01

Paper No. 9

ANDREW J. DILLON
FELSMAN BRADLEY VADEN
GUNTER & DILLON, L.L.P.
SUITE 350 LAKEWOOD ON THE PARK
7600B NORTH CAPITAL OF TEXAS HWY.
AUSTIN, TX 78731

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OFFICE OF PETITIONS

In re Application of :
Cromer, et al. :
Application No. 09/748,654 :
Filed: 22 December, 2000 :
Attorney Docket No. RPS919990119US1 :

This is a decision on the petition filed on 10 October, 2001, treated as a petition under 37 C.F.R. §1.53, requesting that the above-identified application be accorded a filing date of 22 December, 2000, and that a corrected filing receipt issue so stating.

The petition is **GRANTED**.¹

The application was deposited on 22 December, 2000, without a signed oath/declaration, and acceptable drawings.

The Office mailed on 9 February, 2001, a Notice of Missing Parts (Filing Date Granted) requiring the filing of (a) the signed oath/declaration and (b) acceptable drawings.

On 21 March, 2001, the Office mailed a Notice to File Corrected Application Papers (Filing Date Granted) as to the drawings.

Petitioner responded on:

- Monday 12 March, 2001, with the signed oath/declaration and authorization to charge the fee to a client deposit account, and
- 9 July, 2001 (over a 2 July mail certificate), with a request and fee for a two- (2-) month extension of time and drawings.

On 21 August, 2001, the Office mailed an "Updated Filing Receipt" indicating a filing date of 12 March, 2001.

¹ No petition fee was charged upon filing; therefore no refund/credit is due.

As noted above, on 10 October, 2001, Petitioner requested a corrected filing receipt as to the filing date, requesting that the application be accorded a filing date of 22 December, 2000, and that a corrected filing receipt issue so stating.

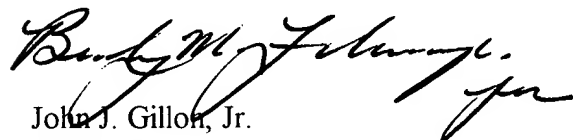
A review of the application papers reveals that the application in fact was filed and received in the Office on 22 December 2000, and that the date-stamped (22 December, 2000) copy of the receipt card filed by Petitioner and evidencing that filing date recites as received, *inter alia*: "Transmittal . . . Specification (17 pages); Claims (6 pages); & Abstract (1 page); . . . Drawings (5 sheets)"

An intermediate processing error appears to have improperly changed the application filing date from 22 December, 2000, to 12 March, 2001. Therefore, the petition is granted according a filing date of 22 December, 2000.

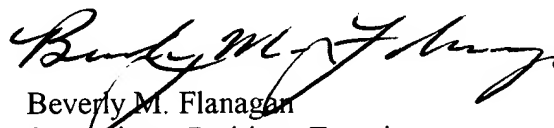
The application as filed on 22 December, 2000, will be considered by the primary examiner in due course.

The application is being returned to Initial Patent Examination Division for further processing with a filing date of 22 December, 2000, and with a direction to forward to Petitioner a copy of the corrected filing receipt reflecting a filing date of 22 December, 2000.

Telephone inquiries concerning this matter may be directed to John J. Gillon, Jr., Attorney, Office of Petitions, at (703)305-9199.



John J. Gillon, Jr.
Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy